



TRANSMITTAL LETTER			Case No. 11336/657
Serial No. 10/717,247	Filing Date November 19, 2003	Examiner Not Assigned	Group Art Unit Not Assigned
Inventor(s) James D. Pennock et al.			
Title of Invention MUSICAL EFFECT CUSTOMIZATION SYSTEM			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Information Disclosure Statement (in duplicate); PTO Form 1449; and Return postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		or	Other Than Small Entity	
Rate	Add'l Fee		Rate	Add'l Fee
x \$9 =			x \$18 =	
x 43 =			x \$86 =	
+ \$145 =			+ \$290 =	
Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

John F. Neyhery
Registration No. 42,928
Attorney for Applicant
Customer No. 00757 - Brinks Hofer Gilson Lione

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

This correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 20-Feb-2004

Date: 20-Feb-2004

Signature:



CERTIFICATE OF MAILING

Date of deposit with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 20-Feb-2004

Date of Deposit

John F. Nethery, Reg. No. 42,928

Name of Applicant, Assignee or
Registered Representative

John F. Nethery

Signature

20-Feb-2004

Date of Signature

Our Case No.: 11336/657

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James D. Pennock, et al.

Serial No.: 10/717,247

Filing Date: November 19, 2003

For: Musical Effect Customization
System

Examiner: Not Assigned

Group Art Unit No.: Not Assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record.

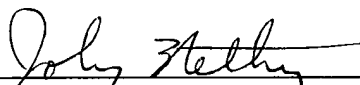
In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be

construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

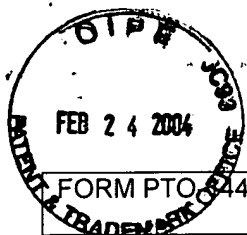
This application is a divisional application of U.S. Serial No. 10/037,510, filed January 4, 2002 and is relied upon for an earlier filing dated under 35 U.S.C. § 120. Because this application is filed after June 30, 2003, the Patent Office waiver of the requirements under 37 C.F.R. 1.98(a)(2)(i) applies. Therefore, no copies of the U.S. Patent references are enclosed.

Respectfully submitted,



John F. Nethery
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Attorney for Applicants

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FORM PTO-449

SERIAL NO. 10/717.247	CASE NO. 11336-657
FILING DATE November 19, 2003	GROUP ART UNIT Not Assigned
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	
(use several sheets if necessary)	
APPLICANT(S): PENNOCK et al.	

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	4,079,199	03/1978	Patronis, jr.		
	A2	4,238,746	12/1980	Mc cool et al.		
	A3	4,602,337	07/1986	Cox		
	A4	4,658,426	04/1987	Chabries et al.		
	A5	5,029,217	07/1991	Chabries et al.		
	A6	5,046,101	09/1991	Lovejoy		
	A7	5,245,665	09/1993	Lewis et al.		
	A8	5,345,467	09/1994	Lomp et al.		
	A9	5,640,414	06/1997	Blakeney, ii et al.		
	A10	5,649,015	7/1997	Paddock et al.		
	A11	5,663,517	9/1997	Oppenheim		
	A12	5,698,807	12/1997	Massie et al.		
	A13	5,744,742	4/1998	Lindemann et al.		
	A14	5,789,689	08/1998	Doidic et al.		
	A15	5,929,795	07/1999	Wang		
	A16	5,937,019	08/1999	Padovani		
	A17	5,977,470	11/1999	Suda		
	A18	5,999,631	12/1999	Porayath et al.		
	A19	6,018,662	01/2000	Periyalwar et al.		
	A20	6,049,716	04/2000	Jung		
	A21	6,073,021	06/2000	Kumar et al.		
	A22	6,304,846	10/2001	George et al.		
	A23	6,664,460	12/2003	Pennock et al.		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
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EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)				

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.